

REMARKS

Please cancel Claim 13 without prejudice. Claims 1-12 and 14-24 are pending. Claims 1, 3-4, 6, 8-12, 14-18, 20-21 and 23 are amended herein. No new matter is added as a result of the claim amendments. Support for the claim amendments can be found starting at line 12 on page 64 of the instant application.

102 Rejections

The instant Office Action states that Claims 1, 5-8, 10, 14-18 and 22-24 are rejected under 35 U.S.C. § 102(b) as being anticipated by Bushmitch (EP 0915598). The Applicants have reviewed the cited reference and respectfully submit that the present invention as recited in Claims 1, 5-8, 10, 14-18 and 22-24 is not anticipated nor rendered obvious by Bushmitch.

Applicants respectfully agree with the statement on page 8 of the instant Office Action that Bushmitch is silent with regard to a power strength monitor. Although Hulbert (U.S. Patent No. 5,574,972) is cited to show this limitation, Hulbert refers only to "transmit power" and not power consumption.

Hence, Applicants respectfully submit that Bushmitch, alone or in combination with Hulbert, does not show or suggest "source control module comprises a power strength monitor that monitors power consumption by said client" as recited in independent Claim 1 and as similarly recited in independent Claims 8 and 18. In particular, Applicants respectfully submit that Bushmitch and Hulbert, even in combination, do not show or suggest "wherein said client uses information from said power strength monitor to make a decision about how

many of said multiple description bitstreams to receive” as recited in independent Claim 1 and as similarly recited in independent Claims 8 and 18.

Therefore, Applicants respectfully submit that Claims 1, 8 and 18 are patentable over Bushmitch and Hulbert. Because Claims 5-7, 10, 14-17 and 22-24 depend from Claim 1, 8 or 18 and contain additional limitations, these claims are also considered patentable over Bushmitch and Hulbert. Consequently, Applicants respectfully submit that the basis for rejecting Claims 1, 5-8, 10, 14-18 and 22-24 under 35 U.S.C. § 102(b) is traversed.

103 Rejections

Claims 2, 9, 12 and 19

The instant Office Action states that Claims 2, 9, 12 and 19 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Bushmitch in view of Heinzelman et al. (“Heinzelman;” U.S. Patent No. 6,754,277). The Applicants have reviewed the cited references and respectfully submit that the present invention as recited in Claims 2, 9, 12 and 19 is not anticipated nor rendered obvious by Bushmitch and Heinzelman, alone or in combination.

Claims 2, 9, 12 and 19 are dependent on Claim 1, 8 or 18 and recite additional limitations. Hence, by demonstrating that Bushmitch and Heinzelman do not show or suggest the limitations of Claims 1, 8 and 18, it is also demonstrated that Bushmitch and Heinzelman do not show or suggest the limitations of Claims 2, 9, 12 and 19.

As presented above, Applicants respectfully submit that Bushmitch (even in combination with Hulbert) does not show or suggest the limitations of independent Claims 1, 8 and 18. Applicants respectfully submit that Heinzelman does not overcome the shortcomings of Bushmitch (and Hulbert). Specifically, Applicants respectfully submit that Heinzelman, alone or in combination with Bushmitch and Hulbert, does not show or suggest the limitations of Claims 1, 8 and 18 cited above.

Therefore, Applicants respectfully submit that Claims 1, 8 and 18 are patentable over Bushmitch, Hulbert and Heinzelman, alone or in combination. Because Claims 2, 9, 12 and 19 depend from Claim 1, 8 or 18 and contain additional limitations, these claims are also considered patentable over Bushmitch, Hulbert and Heinzelman, alone or in combination. Consequently, Applicants respectfully submit that the basis for rejecting Claims 2, 9, 12 and 19 under 35 U.S.C. § 103(a) is traversed.

Claims 3 and 20

The instant Office Action states that Claims 3 and 20 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Bushmitch and Heinzelman in view of Hulbert. The Applicants have reviewed the cited references and respectfully submit that the present invention as recited in Claims 3 and 20 is not anticipated nor rendered obvious by Bushmitch, Heinzelman and Hulbert, alone or in combination.

Claims 3 and 20 are dependent on Claim 1 or 18 and recite additional limitations. Hence, by demonstrating that Bushmitch, Heinzelman and Hulbert

do not show or suggest the limitations of Claims 1 and 18, it is also demonstrated that Bushmitch, Heinzelman and Hulbert do not show or suggest the limitations of Claims 3 and 20.

As presented above, Applicants respectfully submit that Bushmitch, Heinzelman and Hulbert do not show or suggest the limitations of independent Claims 1 and 18.

Therefore, Applicants respectfully submit that Claims 1 and 18 are patentable over Bushmitch, Heinzelman and Hulbert, alone or in combination. Because Claims 3 and 20 depend from Claim 1 or 18 and contain additional limitations, these claims are also considered patentable over Bushmitch, Heinzelman and Hulbert, alone or in combination. Consequently, Applicants respectfully submit that the basis for rejecting Claims 3 and 20 under 35 U.S.C. § 103(a) is traversed.

Claims 4, 11 and 21

The instant Office Action states that Claims 4, 11 and 21 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Bushmitch in view of "Error-Resilient Video Compression" (hereinafter, "Apostolopoulos"). The Applicants have reviewed the cited references and respectfully submit that the present invention as recited in Claims 4, 11 and 21 is not anticipated nor rendered obvious by Bushmitch and Apostolopoulos, alone or in combination.

Claims 4, 11 and 21 are dependent on Claim 1, 8 or 18 and recite additional limitations. Hence, by demonstrating that Bushmitch and

Apostolopoulos do not show or suggest the limitations of Claims 1, 8 and 18, it is also demonstrated that Bushmitch and Apostolopoulos do not show or suggest the limitations of Claims 4, 11 and 21.

As presented above, Applicants respectfully submit that Bushmitch (even in combination with Hulbert and Heinzelman) does not show or suggest the limitations of independent Claims 1, 8 and 18. Applicants respectfully submit that Apostolopoulos does not overcome the shortcomings of Bushmitch (and Hulbert and Heinzelman). Specifically, Applicants respectfully submit that Apostolopoulos, alone or in combination with Bushmitch, Hulbert and Heinzelman, does not show or suggest the limitations of Claims 1, 8 and 18 cited above.

Therefore, Applicants respectfully submit that Claims 1, 8 and 18 are patentable over Bushmitch, Hulbert, Heinzelman and Apostolopoulos, alone or in combination. Because Claims 4, 11 and 21 depend from Claim 1, 8 or 18 and contain additional limitations, these claims are also considered patentable over Bushmitch, Hulbert, Heinzelman and Apostolopoulos, alone or in combination. Consequently, Applicants respectfully submit that the basis for rejecting Claims 4, 11 and 21 under 35 U.S.C. § 103(a) is traversed.

Conclusions

In light of the above remarks, Applicants respectfully request reconsideration of the rejected claims.

Based on the arguments presented above, Applicants respectfully assert that Claims 1-12 and 14-24 overcome the rejections of record, and therefore Applicants respectfully solicit allowance of these claims.

The Examiner is invited to contact Applicants' undersigned representative if the Examiner believes such action would expedite resolution of the present Application.

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Respectfully submitted,

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